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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,650	01/06/2006	Saul R. Dooley	GB030109	1974
65913	7590	07/05/2007		
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			EXAMINER JANKUS, ALMIS R	
			ART UNIT 2628	PAPER NUMBER
			NOTIFICATION DATE 07/05/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary

Application No.

10/563,650

Applicant(s)

DOOLEY ET AL.

Examiner

Almis R. Jankus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-8 are presented for examination.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Yost et al.

With respect to claim 1 Yost et al. teaches the claimed method of generating a map display for a graphical user interface comprising the steps of: displaying a map highlighting a first area on the map surrounding a first position fix wherein the size of the area corresponds to the accuracy of the first position fix; and highlighting a second area on the map surrounding a second position fix wherein the size of the second area

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corresponds to the accuracy of the second position fix, wherein, when the first and second areas overlap, the one corresponding to the most recent or accurate position fix is displayed on top of the other, at figure 3, where the ellipse and circle are overlap, the points represent the normal distribution, the points (highlights) being the most accurate fixes are displayed on top, or such that they cover the bottom..

With respect to claim 2 Yost et al. teaches the claimed method of generating a map display for a graphical user interface comprising the steps of: displaying a map highlighting a first area on the map surrounding a first position fix wherein the size of the area corresponds to the accuracy of the first position fix; and highlighting a second area on the map surrounding a second position fix wherein the size of the second area corresponds to the accuracy of the second position fix, wherein, when the first and second areas overlap, the highlighting of the overlapping area is different from that of those parts of the first and second areas which do not overlap. This is similar to claim 1 and Yost et al. shows a difference in each area of overlap and no overlap.

With respect to claim 3 Yost et al. teaches the claimed method of generating a map display for a graphical user interface comprising the steps of: displaying a map highlighting a first area on the map surrounding a first position fix wherein the size of the area corresponds to the accuracy of the first position fix; and highlighting a second area on the map surrounding a second position fix wherein the size of the second area corresponds to the accuracy of the second position fix, wherein the manner in which at

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least one of the position fixes is obtained is indicated by the colour of the highlight.

Here the colour of the highlight are black points.

With respect to claim 4 Yost et al. teaches the claimed method of generating a map display for a graphical user interface comprising the steps of: displaying a map highlighting an area on the map surrounding a position fix wherein the shape, being a shape other than a circle, and the size of the highlighted area corresponds to the accuracy of the position fix. Yost et al. shows an ellipse, which is other than a circle, and the areas correspond to the accuracy of the fix.

With respect to claims 6, 7, and 8, which require a computer readable storage medium having data, a server, and a display and a processor for the methods presented above, Yost et al. teaches a Public Safety Answering Point for emergency response teams, which inherently are associated with computers, servers and displays for the fastest response times and most accurate locating devices.

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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5. Claim 5 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 5 requires a computer program. Computer programs fail to fit any of the four statutory classes of invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis R. Jankus whose telephone number is 571-272-7643. The examiner can normally be reached on M-F, 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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